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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Michael J. Young et al.  
Application No. : 09/913,427  
Filed : October 12, 2001  
For : INTEGRATION OF TRANSPLANTED NEURAL PROGENITOR  
CELLS INTO NEURAL TISSUE OF IMMATURE AND MATURE  
DYSTROPHIC RECIPIENTS  
Attorney's Docket : ERI-113XX

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GROUP 3600

Group Art Unit: (Not yet assigned)

\*  
I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope  
addressed to: Commissioner for Patents, Washington, D.C. 20231 on  
May 10, 2002.

By: Holliday C. Heine

Holliday C. Heine, Ph.D.

Registration No. 34,346

Attorney for Applicant(s)

\* \*

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

It is desired to cite for the record in this application the enclosed references listed on the attached copy of PTO Form #1449. The paragraph(s) marked below are applicable to this Information Disclosure Statement.

- [X] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached Information Disclosure Statement is being filed within three months of the filing date of the above identified national application or within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 of the above identified application. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

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[X] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

[ ] (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

[ ] (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:

[ ] a statement under 37 CFR § 1.97(e); or

[ ] the fee set forth in § 1.17(p).

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PETITION UNDER 37 CFR § 1.97(d)

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[ ] (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e) (1)

[ ] (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e) (2)

[ ] (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure

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Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

MICHAEL J. YOUNG ET AL.

By: Holliday C. Heine  
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Date: November 16, 2001  
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Form PTO-1449 (REV. 07/01)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. ERI-113XX	APPLICATION NO. 09/913,427
OPIE INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>		APPLICANT: Michael J. Young et al.	
		FILING DATE October 12, 2001	GROUP Not yet assigned



**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE*
	5,539,046	10/25/1994	Capon et al.	536	23.4	

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES      NO
	WO 99/55838	11/04/1999	WIPO	C12N	5/00	
	WO 99/21966	05/06/1999	WIPO	C12N	5/06	
	WO 97/35605	10/02/1997	WIPO	A61K	38/18	
	WO 96/15226	05/23/1996	WIPO	C12N	5/06	
	WO 96/09543	03/28/1996	WIPO	G01N	33/50	
	WO 95/13364	05/18/1995	WIPO	C12N	5/06	
	WO 94/16718	08/04/1994	WIPO	A61K	37/00	
	WO 94/10292	05/11/1994	WIPO	C12N	5/06	
	WO 94/09119	04/28/1994	WIPO	C12N	5/08	

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)**

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EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	